



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lynn Doucette-Stamm and David Bush
Application No.: 09/450,969 Group: 1643
Filed: November 29, 1999
For: Nucleic Acid and Amino Acid Sequences Relating to *Staphylococcus Epidermidis* for Diagnostic and Therapeutics

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>5-17-00</u> Date	<u>[Signature]</u> Signature
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated January 13, 2000, the following documents and fees are being submitted for filing in the captioned application:

☒ **TWO EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.

(Separate transmittal letter and postcard not required)

☐ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.

(Separate transmittal letter and postcard not required)

☒ **SMALL ENTITY STATUS CHANGE AND FEE DEFICIENCY SUBMISSION UNDER 37 C.F.R. 1.28(c)**- in duplicate.

(Separate transmittal letter and postcard required)

06/02/2000 HAMMOND 00000036 501040 09450969

05 FC:116 380.00 CH

☒ **SURCHARGE** - surcharge fee of \$130.00.
(Separate transmittal letter and postcard not required)

☐ **SEQUENCE LISTING** - Filed concurrently and is attached.
(Separate transmittal letter and postcard required)

☒ **PETITION FOR EXTENSION OF TIME**

☒ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated January 13, 2000 for two months, from March 13, 2000 to May 13, 2000. Please charge the appropriate fee of \$380.00 to Deposit Account number 50-1040.

☐ A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee.

☐ Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.
(Separate transmittal letter and postcard required)

☐ **VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on November 29, 1999 .

☐ Is enclosed herewith.
(Separate transmittal letter and postcard not required)

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380.

Appl'n No. 09/450,969

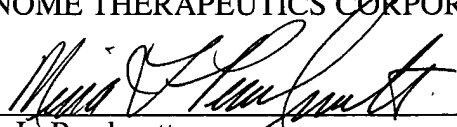
-3-

Authorization is hereby granted to charge the fees required for filing the indicated documents in the total amount of \$1,340.00. Authorization is hereby granted to charge any additional fees due to Deposit Account No. 50-1040. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

GENOME THERAPEUTICS CORPORATION

By


Nina L. Pearlmutter

Registration No.: 35,639

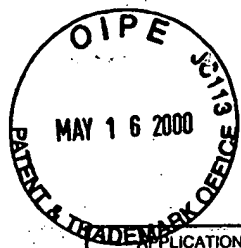
Tel.: (781) 398-2508

Fax: (781) 398-2607

Waltham, Massachusetts 02453

Date:

May 10, 2000



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/450,969 11/29/99 DOUCETTE-STAMM L PATH99-09A

0262/0113

NINA L PEARLMUTTER ESQ
GENOME THERAPEUTICS CORPORATION
100 BEAVER ST
WALTHAM, MA 02453

NOT ASSIGNED

1643

DATE MAILED:

01/13/00

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☒ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ small entity (statement filed) ☐ non-small entity is \$ 65.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.
\$ _____ for _____ independent claims over 3.
\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Michael Thomas T-6